

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)



Order Filed on December 13, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Kenneth R. Witman and Lauren A. Witman

Case No.: 13-12236

Chapter: 13

Hearing Date: _____

Judge: Kathryn C. Ferguson

ORDER APPROVING LOAN MODIFICATION

The relief set forth on the following pages, numbered two (2) through _____ is
ORDERED.

.....

DATED: December 13, 2017

A handwritten signature in black ink, appearing to read "Kathryn C. Ferguson", is written over a horizontal line.
Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

CXE 16-017949
Shapiro & DeNardo, LLC
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Chandra M. Arkema - 029552006
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ATTORNEYS FOR NATIONSTAR MORTGAGE LLC

IN RE:

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

KENNETH R WITMAN AND
LAUREN A WITMAN, DEBTORS

CASE NO.: 13-12236-KCF
CHAPTER 13

ORDER APPROVING LOAN MODIFICATION

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

THIS MATTER having come before the Court upon the Secured Creditor's Notice of Motion for an Order approving a loan modification agreement, and Court having examined the evidence presented, and for good cause shown, it is hereby **ORDERED** as follows:

1. The Court hereby authorizes Secured Creditor and the debtor(s), to enter into a loan modification.
2. The loan modification agreement between the Secured Creditor and the Debtor, attached as an Exhibit to the Secured Creditor's motion, is approved.
3. In the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, Secured Creditor shall amend the arrearage portion of its Proof of Claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification.
4. The Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of loan modification and all money that would otherwise be paid to secured creditor, be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the secured creditor that the modification was not consummated.

5. In the event the modification is not consummated, the secured creditor shall notify the Trustee and debtor's attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to secured creditor.
6. In the event the Proof of Claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan.
7. Debtors shall file an amended Schedule J and Modified Plan within twenty (20) days of this order.
8. With respect to any post-petition orders, claims for post-petition mortgage arrears, and orders for creditor's attorney's fees which are being capitalized into the loan, secured creditor will amend any and all post-petition orders or claims within 30 days after completion of the loan modification.
9. The attorney's fees associated with the Secured Creditor's filing of this motion, in the amount of \$350.00 are deemed recoverable from the Debtor.
10. Communication and/or negotiations between Debtor and mortgagees/ mortgage servicers about the loan modification, and the recording of the loan modification, shall not be deemed as violation of the automatic stay; and any such communication or negotiation shall not be used by either party against other in any subsequent litigation.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Kenneth R. Witman
Lauren A. Witman
Debtors

Case No. 13-12236-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Dec 14, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 16, 2017.

db/jdb +Kenneth R. Witman, Lauren A. Witman, 8 Turnbridge Dr, Lumberton, NJ 08048-5058

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 16, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 14, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
Brian C. Nicholas on behalf of Creditor NATIONSTAR MORTGAGE LLC bnicholas@kmlawgroup.com,
bkgroup@kmlawgroup.com
Chandra Marie Arkema on behalf of Creditor Nationstar Mortgage LLC carkema@logs.com
Charles G. Wohlrab on behalf of Creditor NATIONSTAR MORTGAGE LLC cwohlab@logs.com,
njbankruptcynotifications@logs.com
John R. Morton, Jr. on behalf of Creditor Ford Motor Credit Company, LLC
ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
Lee Martin Perlman on behalf of Joint Debtor Lauren A. Witman ecf@newjerseybankruptcy.com,
lmpcourt@gmail.com
Lee Martin Perlman on behalf of Debtor Kenneth R. Witman ecf@newjerseybankruptcy.com,
lmpcourt@gmail.com
Sean M. O'Brien on behalf of Creditor BANK OF AMERICA, N.A. sobrien@flwlaw.com
TOTAL: 9